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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 EDDIE LOUIS SMITH, III,

11 Plaintiff,

12 v.

13 BELINDA D. STEWART, *et al.*,

14 Defendants.

CASE NO. 3:19-cv-05096-BHS-JRC

ORDER DENYING MOTION TO
DIRECT SERVICE AND
ORDERING PLAINTIFF TO SHOW
CAUSE

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16 This matter is before the Court on plaintiff's motion to direct personal service on
17 defendant Joby Taylor. Dkt. 62, at 1.

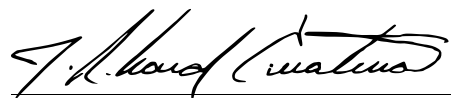
18 The Court granted plaintiff's motion to proceed *in forma pauperis* in this matter and
19 directed service of the complaint by e-mail on the named defendants, including defendant
20 Taylor. *See* Dkt. 6. However, defendant Taylor did not return a waiver of service of the
21 summons, so that the Court ordered Taylor to show cause why he or she should not be personally
22 served at his or her own expense. *See* Dkt. 35. Defendant Taylor again failed to respond, so the
23 Court ordered defendants to provide a last known address for Taylor under seal. *See* Dkt. 45.

1 The Court then directed service by mail on the address provided by defendants. *See* Dkt. 48.
2 When service by mail upon the last known address for Taylor was unavailing, the Court ordered
3 personal service by the U.S. Marshal. *See* Dkt. 55. Despite these efforts, service was
4 unsuccessful, and the docket reflects that Taylor did not reside at the last known address, having
5 “reportedly joined the Army & [is] stationed in [Georgia].” Dkt. 56, at 1.

6 Thus, despite reasonable efforts, the Court has been unable to effectuate service upon
7 defendant Taylor. Although plaintiff is *pro se* and *in forma pauperis*, it remains plaintiff’s
8 burden to provide sufficient information that the Court can effectuate service. *See Walker v.*
9 *Sumner*, 14 F.3d 1415, 1422 (9th Cir. 1994) (“So long as the prisoner has furnished the
10 information necessary to identify the defendant,” the marshals’ failure to serve is good cause to
11 excuse failure to timely serve the complaint), *overruled on other grounds by Sandin v. Conner*,
12 515 U.S. 472, 483–84 (1995). The Court will not undertake to investigate the address of
13 defendant Taylor for plaintiff. *See Martin v. Serrell*, No. 4:03-CV-3130, 2006 WL 488718, at *1
14 (D. Neb. Feb. 27, 2006) (“[T]he court cannot become an advocate for, or agent of, either side of
15 a case, and a result, tracing defendants who have left their former governmental employment
16 must be left to the devices of a plaintiff[.]”).

17 Therefore, the Court orders plaintiff to provide an updated address for defendant Taylor
18 on or before January 31, 2020. If plaintiff is unable to do so, the Court will recommend
19 dismissal of the claims against defendant Taylor without prejudice. *See* Fed. R. Civ. P. 4(m).
20 Plaintiff’s motion to direct service (Dkt. 62) is denied.

21 Dated this 30th day of December, 2019.

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23 J. Richard Creatura
24 United States Magistrate Judge